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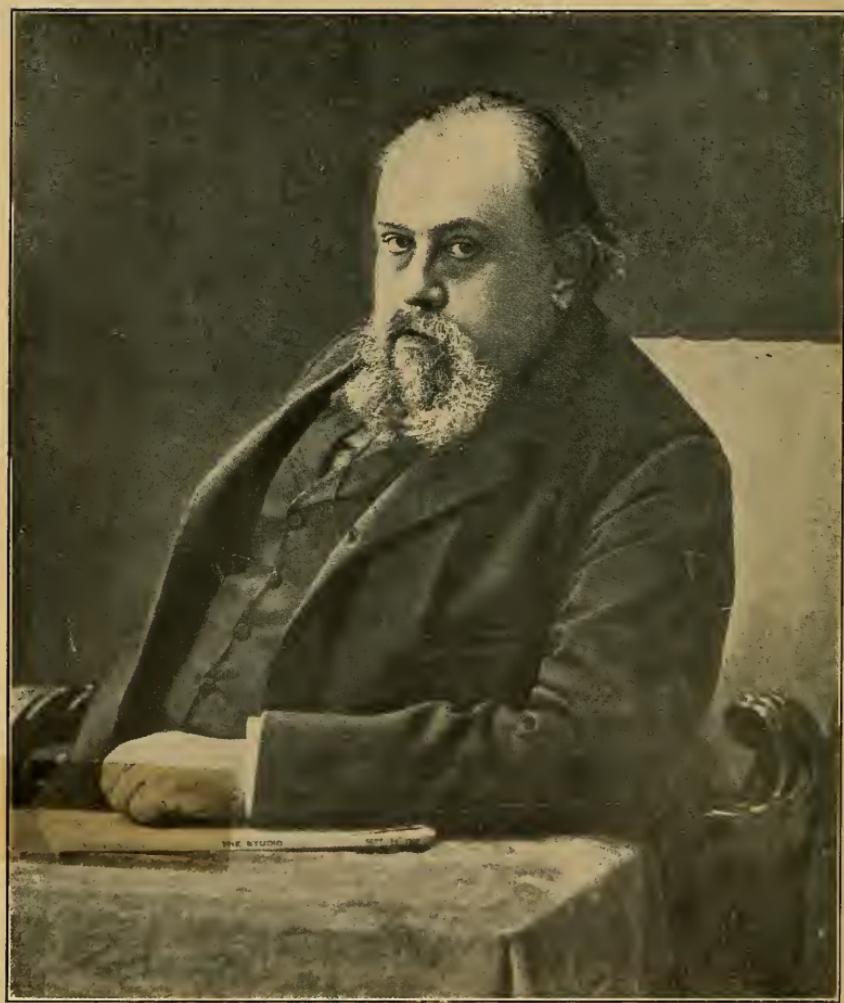




M. M. KOVALEVSKY

BY
LEO PASVOLSKY
Editor of *The Russian Review*.

(Reprinted from *The Russian Review*, Vol. 1, No. 5,
June, 1916)



M. M. KOVALEVSKY.
(1851-1916.)

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By Leo Pasvolsky.

I.

Not since the death of Tolstoy has Russia sustained so great a loss as she did when Maxim Maximovich Kovalevsky ceased to be. Russia and the rest of Europe are passing now through a bloody period in their history, when human life seems to have lost all value, when men are swept away by thousands and even millions. The living have become accustomed to this elemental sway that death holds in the most intimate relations of their life. But all these millions of individual deaths are of more or less local concern; the report of each one of them carries the grim message of misfortune only to some one corner of the countries plunged into madness. The death of Kovalevsky, like the death of Tolstoy, is not of merely local concern. Deaths like these arouse the whole nation, from one end to the other, throughout all the social strata. And not the nation alone, but the whole world.

There was much in common between these two intellectual giants of Russia, no matter how different they were in so many respects. Each of them typified Russia in his own way. Each loved Russia with his whole heart; devoted to his native land every thought, every feeling. Each, through his achievements, rendered his country inestimable service by raising her higher amongst the nations of the world, higher in that most precious of all attainments: intellectual achievement. Each was widely known and generally loved. And the death of each was a blow that brought deep pain, poignant regret, a heavy sense of personal bereavement to millions of hearts.

Objectively, in their relations with others and with everything about them, they had much in common; but subjectively, they were different. Tolstoy represented the soul of Russia, the ever-seeking, ever-striving, never-contented soul, full of true

mysticism, that seeks and yearns for the absolute solution of the world's problems, that reaches out for the ultimate, and, never attaining it, perishes in the quenchless flames of its mighty quest. Kovalevsky typified the intellect of Russia, the vast, the many-sided, interested in everything, eager to understand everything, projecting itself into the innermost secrets of nature, into her every realm, ever analyzing, ever striving to reach the great synthesis that would crown its quest, and also perishing in the mighty flames of its ceaseless activity.

Death overtook Tolstoy when he was just about to embark upon a new quest for spiritual truth; it stilled his quivering soul when it was just beginning to break the fetters of what he considered spiritual thralldom. Kovalevsky's mighty intellect ceased its tireless labors while still busily engaged in its marvelous activity. What he considered his solemn duty before science and before his people was more important in his own mind than the question of his health, which finally refused to withstand the terrific strain to which the tireless brain and the indomitable will of the scientist subjected it.

And each of these giants, their minds clear to the very end, succeeded in crystallizing the tremendous masses of thoughts and ideas and experiences that constituted their spiritual and intellectual being into small, priceless pearls—the last words they pronounced on their death beds.

A few minutes before his death, in that small railroad station which for a time attracted the gaze of the whole world, Tolstoy pronounced his last great words, "the soft, sad, gentle final chord of a great symphony," as Kuprin has called it: "The hero of my story, whom I love with my whole soul, whom I have attempted to reproduce in all his beauty, and who has always been, is, and ever will be beautiful, is truth." The great thinker's whole philosophy of life, so simple, so beautiful, yet so fraught with the mighty significance of his ceaseless quest, is in the one little sentence that his lips whispered a few minutes before death sealed them forever.

Kovalevsky's last words, too, are so expressive of his whole life, so all-inclusively descriptive of his whole activity, that they

are really a summary of everything he thought and said and did during the decades of his scientific and public life. To the few friends who were at his bed-side, to those loving hearts tortured by the maddeningly painful realization of the inevitable, he gave his last precept: "Love liberty, and equality, and progress."

All his life Kovalevsky marched under a standard, upon which were inscribed those great words. All his life he followed them unflinchingly, and with them carried new ideas, new inspirations to those around him. All his life was spent for the vindication of these fundamental values of human life, for the disclosing of their sterling worth to his countrymen. These three great principles, which lie at the basis of the highest civilization that the world has reached in its evolution, the Aryan civilization of the West, were not welcome guests in Russia during the greater part of Kovalevsky's career. But they were his creed in life, his great guiding star, which he had followed to the West, outside of the boundaries of his dearly beloved native land—an exile for over two decades. During this whole period he did everything in his power to make those mighty principles *personnae gratae* in Russia; all his efforts were directed towards gaining for them the right of citizenship in the eastern-most of European countries. He was the direct and undisputed heir of those mighty intellects that strove, a half-century ago, to bring Russia into a close communion with the West. Only, he was more fortunate than they, for within the limits of his lifetime came the first throes of regeneration, the period of Titanic struggle and suffering, so pregnant with the promise of future achievement. When the first beacon light of a new life burst into flames over Russia, Kovalevsky hastened back from his exile, and took his place among those who were fighting for the triumph of the three great principles that were inscribed so inspiringly upon his life-banner, the great principles that he himself, not the least among many others, had taught his countrymen to love, to cherish, to prize so dearly as to be ready to lose their life in a struggle for their ascendancy.

He was destined to behold the slow dawn, and the clouds

that dimmed its resplendent glory soon after its very first rays pierced the gloom. He died at the time when the clouds, grown darkest and blackest, were just beginning to roll away, when the rays of the rising sun were beginning again to make their way into the open, piercing the sombre shadows, when the promise of a glorious sunrise was unmistakable on every side. His great body will not have been lying long in the ground when the sun of liberty, equality, and progress will shine forth upon the political and social firmament of Russia.

II.

Maxim Maximovich Kovalevsky was born in 1851, in Khar-kov. His father was a prominent figure among the gentry of the district, and his many private and public duties kept him fully occupied, affording him very little opportunity to devote any attention to his son. The boy's education was left entirely in the hands of his mother, of whom Kovalevsky says in his memoirs that "this able and unusually kind woman, who had received a fine artistic and aesthetic education, despite her youth, beauty and success in society, devoted herself solely to the education of her son." From her and from his French and German tutors, who had charge of his education after he was eight years old, he acquired his love of the artistic, which he preserved all his life. In his early youth he acquired the knowledge of the French and the German languages. The knowledge of the English language was not acquired until he was fifteen, while he did not learn Italian and Spanish until he was twenty-eight. Of his tutors, he remembered especially the Frenchman, who taught him French literary and political history, mythology, and other subjects at a very early age.

When he was thirteen, his father's financial affairs took a turn for the worse, and the boy was sent to a *gymnasium*, entering the fifth year. He remained at the *gymnasium* for four years. The course of study offered there did not satisfy him; in his efforts to master the essentials of Latin grammar and rhetoric, in his constant attempts to overcome his aversion to the dryness and inadequacy of the method as well as the content of the

school work, he found himself forgetting much of the genuinely interesting knowledge that he had acquired with his private tutors. He relates the following incident, which is extremely characteristic of his recollections of this period of his life. At his final examinations, in answer to a question in mythology, he had to bring out the connection between the heroes of the national epics and the pagan divinities of the pre-Christian time in Russia. While he was speaking, a trustee of the school, the noted chemist Voskresensky, entered the room. Hearing that, according to mythology, Vladimir of the folk-songs is really the god of the sun, Voskresensky, burst out laughing, much to the discomfiture of the teachers and the professors present, and they hastened to inform him of his lack of knowledge in the field of comparative mythology. "Voskresensky's fit of laughter," says Kovalevsky, "is the only protest I can recall against the nonsense with which our heads were being stuffed."

Kovalevsky received his higher education at the University of Kharkov, in its Department of Law. He chose this department in preference to others not because his interests lay particularly in this direction, but because the faculty of this department was the best in the university. His most important work was done under Professor D. I. Kachenovsky, whose influence, no doubt, was responsible for Kovalevsky's love for English institutions and for his faith in the ultimate triumph of international law over militarism—a faith which was subjected to the severest test imaginable on the very eve of his death.

After completing his course at the university, he went abroad to prepare for a professorship. He spent five years in Western Europe, first studying at the Universities of Paris and Berlin, where he worked successively on his master's and doctor's theses. Before returning to Russia, he decided to go to England, and provided himself with letters of recommendation to the leading men of the time. The wealth of material he found in the British Museum and in other archive repositories caused him to remain in England for a considerable length of time. The work he did there and the men with whom he associated served to strengthen his friendly feelings towards England, already implanted in him during his university years.

Kovalevsky's sojourn in Western Europe had a great formative influence upon him. He had an opportunity to associate with the best men of the time, to meet the greatest specialists in the particular fields in which he was working. Karl Marx, Herbert Spencer and Frederic Harrison were among the men with whom he came in contact in his studies. During this period, too, he met Turgeniev, and the two became friends.

Soon after he returned to Russia, Kovalevsky received an offer to become a professor at the University of Moscow, and in 1878 he took the chair of civil law and comparative government at this university. This chair he occupied until 1887. This period of his life was probably the most brilliant one, from the standpoint of academic activity. His popularity at the university was almost unparalleled. One of those who, though a very young man at the time, received his share of Kovalevsky's intellectual influence, Professor V. I. Vernadsky, characterizes in the following way Kovalevsky's academic activity during this period: "In the history of the cultured life of Moscow and of the Moscow University, Kovalevsky, then young, full of life, ideas and erudition, played an extraordinary part, which, like a beautiful tradition, was fully appreciated during the latest period of intensive life at the university, beginning with 1900 and up to the wrecking of the university in 1911; it left deep traces of influences, perhaps not clear as yet, but full of significance to the historian."

And yet, even at this time, mere academic activity did not satisfy Kovalevsky. He was essentially a man of social life, in the scientific meaning of this term, a man eager to take an active part in public life. Early in 1879 he began to edit, together with Professor V. Th. Miller, a monthly magazine called the *Critical Review*, devoted to scientific criticism. The magazine lasted only two years, and was discontinued in 1880, when Kovalevsky was sent by his university abroad to do additional research in his field. This *Review* carried Kovalevsky's ideas far beyond the walls of the university, for the magazine was eagerly read in all intellectual centers of the country.

During this period, too, Kovalevsky was active in assisting

the late V. A. Goltsev in the organization of the first Russian Zemstvo Councils. An ardent supporter of constitutionalism and self-government, he did much at this time to help formulate a movement in favor of constitutionalism.

The latter part of the period of Kovalevsky's professorship at the University of Moscow coincided with one of the blackest periods in the political life of Russia. It was the time of a severe political reaction that set in after the assassination of Alexander II in 1881. For a few years the universities of Russia escaped the heavy hand of repression, but their turn came, too. The statutes of 1884 gave the Minister of Education, Delianov, free rein in the treatment of the higher schools of the country, and, in 1887, Kovalevsky found himself dismissed from the university without any explanation as to cause, while his chair of comparative government was abolished altogether.

After this Kovalevsky could not remain in Russia. He went abroad again, this time for two decades. During this period he lived part of the time in his villa at Beaulieu, near Nice, where a greater part of his collection of books, numbering over twenty thousand volumes and now bequeathed to the Universities of Moscow and of Kharkov, is still kept. It was in this villa that Kovalevsky wrote many of his books, working over the research material accumulated during his younger years, and supplementing his data with new material, which he obtained in his "excursions" to the archive repositories of Italy, Spain, and other countries of Europe. Part of his time was devoted to lecturing in London, Stockholm, and other cities of Europe, as well as in the United States. He also devoted much time and attention to the "Russian Higher School" at Paris, which was intended to provide higher educational opportunities to Russian youth, unable, for some reason or other, to enjoy such opportunities in their native land.

During the twenty years of his exile, Kovalevsky was really acting in the capacity of Russia's unofficial ambassador to the cultured West. The death of Turgeniev left this envious position the undisputed heritage of Kovalevsky, who extended the sphere of his activity in this direction to the transatlantic Re-

public. For two decades he stood before the world as a striking representative of the cultural side of Russia, a constant reminder of Russia's unlimited intellectual possibilities.

The political upheaval of 1905 brought Kovalevsky back to his native land. A new sun was rising over Russia, and Kovallevsky, who had done so much to kindle its flames, was one of the first to welcome the dawn. The dream of his life was at last about to be realized. Russia was to have the constitutional government for which he had yearned and pined with every thought of his country's political bondage. He came to Russia in 1906, and was elected to the first Douma. Disqualified as a candidate for election to the second Douma, he was elected by the Russian Academy and the universities as their representative in the Upper Chamber, the Council of the Empire, where he remained until his death.

Deprived, for twenty years, of active participation in the public life of his country, Kovalevsky, upon his return to Russia, seemed to be feverishly eager to make up for lost time. The extent and the many-sidedness of his activity is simply amazing. He lectured at the Petrograd University, at the Institute of Polytechnology, at the Psycho-neurological Institute, took an active part, as a member, in the work of the Academy of Arts and Sciences and of the Council of the Empire, was President of the Free Economic Society, presided over dozens of other scientific bodies, was publisher and editor of the best Russian monthly magazine, the *Viestnik Evropy*, contributed to many scientific and general journals both in Russia and in other countries, and was one of the editors of the Brockhaus and the Granat Encyclopaedias. The above list does not exhaust all the manifold duties that he undertook and bore cheerfully to the very end. In the course of the past few months his duties had increased, largely because of added work in connection with the War. While never active in politics in the ranks of any particular party, he took a very active part in the formation of the progressive *bloc*. He was the organizer and the president of the Society of the English Flag, and of many other similar organizations.

Kovalevsky occupied a unique position in the Council of the Empire. From the time he entered it, he aligned himself with the progressive element of the upper chamber. There was not a single important question discussed in the Council without Kovalevsky's participation in the discussion, and everything he said was heard with profound attention by his friends and his enemies. His great name, his extensive erudition, and his rare powers of oratory made him one of the most welcome speakers on the tribune of the Council. Almost always his speeches were really lectures on progressive politics, and it was strange, indeed, to hear those ideas of civilization and progress in the very stronghold of Russia's reactionary tendencies in politics. It is true that the President of the Council often stopped Kovalevsky and forbade him to continue his address, and Kovalevsky would always resume his seat with the invariable, "I submit."

The strain of all these labors could not but affect the health of the tireless worker, who had been ailing for some years past. The present War found him in a water resort of Austria, and he was compelled to undergo internment for several months. This enforced stay in the midst of the most distressing circumstances of the World War also affected Kovalevsky's health. On March 23, 1916, he succumbed to a complication of diseases, among which were diabetes, gout, and heart disease.

III.

Kovalevsky had the rare distinction of exerting a tremendous influence over the generation whose political work culminated in the upheaval of 1905. And this influence was exerted not through actual political leadership, not through any party affiliation, but through intellectual guidance. It may be asserted, with perfect correctness, that the last generation of the nineteenth century was brought up, politically, on Kovalevsky's ideas. Such political leaders as Milyoukov refer to him as their teacher, who had guided them to the realization of great political truths. The speeches delivered at Kovalevsky's grave by rep-

resentatives of every class in Russia bear ample witness to the unique position that this man occupied in his country.

He was a popularizer of science, as well as its master. Besides his strictly scientific works, he wrote an enormous number of newspaper and magazine articles, sometimes giving, in non-technical language, the results of scientific investigations conducted by himself and others, sometimes writing on some great man with whom he had been associated, or some great event that he had followed with the studious and appreciative attention of a scholar. During the past ten years, it was the charm of his personality, perhaps more than anything else, that endeared him to the whole of cultured Russia. There was not an organization in the country that did not consider it the highest honor and the greatest inspiration to see Kovalevsky in its chair. And he presided over numberless meetings, as many as his other duties permitted. Everywhere his "fascinating soul, his keen, forgiving conscience, his inexhaustible kindness, his vast intellect, his unfailing readiness to serve others" brought with them the calm and harmony that were so woefully lacking when his great body and his fascinating personality were away.

But it is as a scientist that the world outside of Russia knows Kovalevsky, and, as a scientist, he is no less an interesting figure than as a man. His scientific tendencies became evident quite early in life. As a young man, he was fond of making summer excursions to different parts of southern Russia, and curiosity often led him to the Caucasus, that never-failing source of inspiration to the great Russian poets. But it was not the grandeur of the mighty Kasbeck, nor the fascinating beauty of the Daryal valley, nor the indescribable charm of the leaping Terek that attracted Kovalevsky. From his early youth there was something in the apperceptive mass of his great mind that made him interested in man as he finds himself in his social relations, in man's social evolution. The picturesque tribes of the Caucasus held unconquerable fascination for young Kovalevsky because of their rich folklore, because of their interesting customs and laws. His excursions to the Caucasus were not made in the spirit of an ordinary tourist. The scientific

interest was already awake in him, and the material he gathered at that time, supplemented by data obtained later through subsequent investigations in the Caucasus, was very valuable to him as illustrative matter for his theories.

As we have already noted, Kovalevsky began his studies in the department of jurisprudence, and he always retained a keen interest in the juridical sciences. But his eager mind refused to limit itself to the narrow bounds of a specialized investigation. His wide reading led him to other fields. He was equally at home in the domains of administrative law, sociology, both applied and theoretical, ethnography, primitive law and primitive culture, history of political institutions and social classes, history of the development of political and social ideas, history of economic development.

But first of all he was a sociologist, for his whole scientific outlook was based upon a historico-sociological foundation. To him the essence of sociology consists in a comparative study of the different phases of man's social, political and economic development. He insists especially upon this "historico-comparative" method, as he terms it, and devotes a brilliant monograph to its presentation. He believes that only by gathering our material in the widest possible field, and comparing the results of our investigations, can we obtain a really adequate picture of any stage of man's social evolution. And human history, to him, is nothing but social evolution, that ever strives to reach truer and juster forms.

Since evolution is determined by the interaction of social, political, and economic forces, the conditions of their relations must be ascertained, and this led Kovalevsky to extended studies in the domain of the history of human institutions. Hence his interest in ethnography, which led to valuable researches. These researches were mostly along the lines of primitive law, and therefore primitive institutions in general. In one of his earliest works, "The History of the Disappearance of Communal Landownership in Vaadt," he touches upon these questions, which he treats much more fully in his book, "Communal Landownership," and still more definitely in his "Historico-Comparative

tive Method." In the latter work, he divides the study of the history of law into two parts; the determination of the "natural evolution of human society," and the study of primitive law among separate groups by means of a comparative method. He himself followed out his method with almost perfect precision. In 1886 he published two works, of which one, "Primitive Law," was devoted to a study of the "natural evolution of human society," while the other, "Modern Custom and Ancient Law," treats of the questions of law among the Ossetins of the Caucasus. Four years later, he again published two works bearing the same relation to each other. One was "Tableau des origines et de l'évolution de la famille et de la propriété," while the other was a two-volume work entitled "Law and Custom in the Caucasus." Several of his later works are devoted to primitive institutions, and the second volume of his "Sociology" (1910) treats of genetic sociology, or, as the author himself defines it, "a study of the points of departure in the history of the family, the race, property, political rule, and psychic activity."

"For Kovalevsky," says Professor A. Maximov, "the problems of mere description are of secondary importance; he aims to give the broadest possible sociological view, that would explain the significance and the origin of different customs, and give each one its place in the genetic scheme of development. Even in his works on the Caucasus, Kovalevsky does not attempt to give a systematic presentation of the law among the different tribes, but rather to show under what cultural influences this law originated and what elements in it show traces of archaic influences. Kovalevsky aims not to gather or discover new facts, but to interpret those already known." Here again Kovalevsky remains true to the principles he laid down in his work on the comparative method.

As a historian of human institutions, Kovalevsky believes that history is made by the minority, that thought is the guiding factor in human development, although he does not deny that political ideas are dependent upon the existing social and economic conditions. What he attempts to prove, however, is that ideas are not only produced by life, but exert a decided in-

fluence upon it. These views are especially prominent in three of his greatest works. The first of these is the "Economic Development of Europe during the Period Preceding the Growth of Capitalism," a three-volume work, treating of the evolution of land ownership and agriculture, of industry, the condition of the peasant and the laboring class, as they existed in Western Europe during the period from the fall of the Roman Empire to the end of the Middle Ages. His second great work is "The Development of Modern Democracy," in five volumes, in which he treats the social and economic conditions that existed in France before the Revolution, the democratic legislation that followed, and the fall of the aristocratic republic in Venice. Finally, his last great work of general character, which has unfortunately remained unfinished, is entitled, "From Direct Popular Rule to Representative Government, and from Patriarchal Monarchy to Parliamentarism." The title of this work is fully expressive of the wide range of subjects that Kovalevsky intended to treat in this work.

But it was not in ancient institutions alone that Kovalevsky was keenly interested; modern problems were no less fascinating to him. The evidence of this is found not only in his articles, but also in his works on England and France, as well as his French and English works on Russia. Of the modern countries, England interested him most. English political evolution concerned him especially, and it was his fond hope that Russia might have a government that would be essentially like that of Great Britain. It is interesting that the subjects for both of his dissertations were taken from the history of English institutions.

And in England, too, he was well known and appreciated. An excellent proof of this may be found in the fact that Kovalevsky was chosen as one of the members of the Peace Tribunal that is to act upon all differences that may arise between Great Britain and the United States, as provided for by the treaty existing between the two countries.

Death was too hasty in carrying away from us this great mind before its labors were brought to a satisfactory close. Death is usually too hasty; it insists on coming before it is a welcome guest, before the completion of that perfect cycle of life, of which Kovalevsky's friend, Mechnikov, speaks so hopefully in his studies of optimistic philosophy. And the great works that we cherish as the priceless possessions of mankind are usually fragmentary. Buckle's monumental work and Kovalevsky's unfinished syntheses bear ample witness to this lack of justice, to this incongruity in man's nature.

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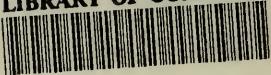


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